



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report

April 30, 2008

PRESENT: Mayor Reed, Vice Mayor Cortese and Council Members Chirco and Constant.

ABSENT: None.

STAFF: City Attorney Richard Doyle, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Assistant City Manager Christine Shippey, Senior Executive Analyst Vilica Rodriguez, City Clerk Lee Price, Council Agenda Manager Alicia Bosco and Legislative Secretary Susan Davis.

A. City Council

1. Review of May 6, 2008 Final Agenda.

Action: The Committee approved the May 6, 2008, 2008 City Council Draft Agenda with the following additions:

- Presentation of a commendation to City Year volunteers for their outstanding contributions to Our City Forest. (Mayor)
- Presentation of a proclamation recognizing the week of May 4 through May 10, 2008 as “Municipal Clerks Week” in the City of San José. (Mayor/City Clerk)
- Approval of travel out of state for City Auditor Sharon Erikson. (City Auditor)

2. Review of May 13, 2008 Draft Agenda.

Action: The Committee approved the May 13, 2008 City Council Draft Agenda with the following addition:

- Council discussion of waiving Attorney-Client Privilege on a memorandum titled, “Confidential Legal Advice Related to Imposition of Appropriate Conditions in Land Use Approvals”. (Constant)

B. Redevelopment Agency

1. Review of May 6, 2008 Final Agenda.

2. Review of May 13, 2008 Draft Agenda.

Action: The Committee approved the May 13, 2008 Draft Redevelopment Agency Agenda. The May 6, 2008 Agenda was canceled.

C. Legislative Update

- 1. State**
- 2. Federal**

There were no updates.

D. Meeting Schedules

None were presented.

E. The Public Record

Documents Filed: Memorandum from City Clerk Lee Price, dated April 25, 2008, transmitting items for the Public Record for the period of April 18 – 24, 2008.

Rudy Rodriguez, Chair of the Small Business Commission, spoke in support of the Commission's April 8, 2008 memorandum proposing an additional function be added to the Commission's workplan.

Action: The Committee noted and filed the Public Record and referred the Small Business Commission proposal to the City Manager and Clerk for review as part of an overall analysis of the scope and duties of all City boards, committees and commissions.

F. Appointments to Board, Commissions and Committee

- 1. Re-appointments to the following Commissions: (1) Early Care and Education Commission, (2) Historic Landmarks Commission and (3) Senior Citizens Commission. (Chirco/Constant)**

Documents Filed: (1) Memorandum from Council Member Chirco, dated April 17, 2008, recommending Elaine Curran for the Early Care and Education Commission. (2) Memorandum from Council Member Chirco, dated April 21, 2008, recommending Helene Lavelle and Judy Stabile to the Historic Landmarks Commission. (3) Memorandum from Council Member Constant, dated April 30, 2008, recommending Elisa Lindley and Frances Jones to the Senior Citizens Commission.

Action: The Committee approved the reappointments to the Commissions as outlined above.

G. Rules Committee Reviews, Recommendations and Approvals

1. Recommend Update of Title 20 of the San José Municipal Code. (Williams)

Documents Filed: Memorandum from Council Member Williams, dated April 24, 2008, recommending update of Title 20 (Zoning) of the Municipal Code, Section 20.120.040 regarding Planning Commission hearings.

Action: The Committee referred the update of Title 20 of the San José Municipal Code to the Planning Commission for review and the City Manager for a workload assessment.

2. Direct the Administration to prepare a work load assessment for Preserving Residential Neighborhoods. (Oliverio)

Documents Filed: Memorandum from Council Member Oliverio, dated April 23, 2008, recommending Council direct Administration to prepare a work load assessment for preserving residential neighborhoods.

Action: The Committee referred this item to Staff for a work load assessment with an update back to the Rules and Open Government Committee on June 4, 2008.

H. Review of additions to Council Committee Agenda

1. Community and Economic Development Committee

a. Recommend City Manager research and present various programming proposals to the Community and Economic Development Committee at their 2008 August meeting regarding prevention of sales tax leakage. (Pyle/Constant)

Documents Filed: Memorandum from Council Members Pyle and Constant, dated April 24, 2008, recommending the City Manager research and present various programming proposals to the Community and Economic Development Committee in August.

Public Comments: Bob Brownstein voiced support for the proposal outlined in the joint memorandum.

Action: The Committee referred this item to the August agenda of the Community and Economic Development Committee.

- 3. Transportation and Environment Committee**
 - a. Amend the work plan of the May 5, 2008 TE Committee agenda to include consideration of a policy for improved employment standards at Mineta San José Airport, including a comprehensive living wage and consideration of job standards and retention. (Williams)**

Documents Filed: (1) Memorandum from Council Member Williams, dated April 25, 2008, recommending amending the work plan of the Transportation and Environment Committee as described above. (2) Letters from Dwayne Green and Everlisto Quebral, dated April 30, 2008 regarding the living wage at the Airport.

Council Member Williams spoke in favor of proposing that the Transportation & Environment Committee add to its work plan a discussion of extending the City's living wage policies to additional employers at the Norman Y. Mineta San José International Airport.

Public Comments: Bob Brownstein, Dwayne Green and Everlisto Quebral urged the Committee to continue the process for improved employee standards at the Norman Y. Mineta San José International Airport.

A short discussion followed.

Action: The Committee requested that the City Manager return in two weeks with a preliminary workload assessment with the intent that this item will be placed on the June 2008 Work Plan for the Transportation and Environment Committee, if possible. (3-1. Noes: Cortese.)

I. Open Government Initiatives

2. Sunshine Reform Task Force

- a. Review of remaining provisions of Sunshine Reform Task Force Phase I Report and Recommendations.
(Deferred from 3/5/08)**

Action: City Clerk Lee Price stated that Phase I will be coming to the full Council on June 3, 2008 and reported that the schedule for the Committee's review of the Sunshine Reform Task Force Phase II recommendations will be on the agenda next week (5/7/08).

J. Open Forum

None were presented.

K. Adjournment

The meeting was adjourned at 3:14 p.m.

Mayor Chuck Reed
Rules and Open Government Committee